

CHAPTER 77, Laws of 1979

AN ACT to amend 186.04 and 186.11 (2); and to create 186.11 (4) of the statutes, relating to revision of the existing credit union investment requirements and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 186.04 of the statutes is amended to read:

186.04 Examination and supervision fees. (1) The commissioner, with the approval of the credit union review board, shall fix the amounts to be assessed against credit unions and corporations in which credit unions invest under s. 186.11 (4) for their supervision and the examination under and by virtue of this chapter. Such amounts shall be determined and paid as provided in this section.

(2) On or before July 15 of each year, each credit union and corporation in which credit unions invest under s. 186.11 (4) shall pay to the office of the commissioner an annual fee to be determined as provided in sub. (1), which shall represent as nearly as practicable its fair share of the maintenance of the office of the commissioner.

(3) In addition to the annual fee, each credit union and corporation in which credit unions invest under s. 186.11 (4) shall be assessed for the cost of every examination made, which cost shall be determined as provided in ~~subsection sub.~~ (1) and shall include the ~~pro-rata prorated~~ amount of salaries and expenses of all examiners and other employes actively engaged in ~~such~~ the examination, the salaries and expenses of any other person whose services are required in connection with ~~such~~ the examination and any reports thereof, and any other expenses which may be directly attributable thereto. Any charge so made shall be paid within 30 days from the date the credit union or corporation receives notice of the assessment of such fee.

(4) Failure of any credit union or corporation to pay any amount as ~~herein~~ provided in this section shall be grounds for the revocation of the charter of the credit union failing to make ~~such~~ the payment or revocation of approval of the articles of incorporation and bylaws of the corporation failing to make the payment.

(5) ~~In the event that~~ If the amounts collected ~~pursuant to under this provision section~~ are in excess of the actual amounts necessary for the supervision and examination of credit unions in each year, ~~such~~ the excess shall be retained by the commissioner and applied ~~by him~~ in reducing the amounts chargeable for ensuing years.

SECTION 1m. 186.11 (2) of the statutes is amended to read:

186.11 (2) CREDIT UNION PROPERTY. ~~With the approval of the commissioner the~~ The board of directors may purchase, lease or construct a building for the operation of the credit union, provided the aggregate cost, ~~including the cost of the building, remodeling of the building, land improvements and land acquisition,~~ does not exceed 100% of the credit union's regular reserve unless prior approval for greater amounts, ~~not to exceed 10% of savings,~~ is given by the commissioner ~~and the credit union review board.~~ The cost of land acquisition may include vicinal property for future expansion but may not exceed the aggregate cost limitation. Nothing in this subsection authorizes a credit union to lease a building owned by a director or by a corporation, partnership or association controlled by a director. The credit union may rent or lease a portion of its building or property.

SECTION 2. 186.11 (4) of the statutes is created to read:

186.11 (4) INVESTMENT OF FUNDS. A credit union may invest funds not exceeding 10% of the regular reserve in the capital shares or obligations of any corporation, provided the ownership of the corporation is restricted to credit unions and credit union organizations, and provided the purposes for which the corporation is organized are designed exclusively to service credit unions which own an interest in the corporation. The articles of incorporation or bylaws of the corporation in which a credit union invests under this subsection shall state expressly the nature of the services the corporation is authorized to provide and shall limit the corporation's services exclusively to credit unions which own an interest in the corporation. The commissioner shall designate by rule the services which may be provided by a corporation in which a credit union invests under this subsection. No corporation in which a credit union invests under this subsection may operate unless the articles of incorporation and the bylaws have been approved by the commissioner. No amendment of the articles of incorporation or bylaws of a corporation in which a credit union invests under this subsection takes effect until approved by the commissioner. No officer, director, committee member or employe of a credit union which owns an interest in a corporation in which the credit union invests under this subsection may have any direct or indirect pecuniary interest in the corporation. Nothing in this section prevents the corporation from reimbursing any credit union which owns an interest in the corporation for the actual cost of services provided by the credit union in the operation of the corporation. Any corporation in which a credit union invests under this subsection is subject to annual examination by the commissioner and shall pay the fees and assessments imposed under s. 186.04.
